

NOV 3 1999

MEMORANDUM TO: Management Review Board Members:

Carl J. Paperiello, EDO
Paul H. Lohaus, OSP
Martin J. Virgilio, NMSS
Karen D. Cyr, OGC

Original signed by:
K. R. Schneider

FROM: Kathleen N. Schneider, Senior Project Manager
Office of State Programs

SUBJECT: DRAFT MINUTES: SOUTH CAROLINA OCTOBER 6, 1999
MRB MEETING

Attached for your review and comment are the draft minutes of the Management Review Board (MRB) meeting held on October 6, 1999. If you have any questions, please contact me at 415-2320.

Attachment:
As stated

cc: Virgil Autry, SC
Pearce O'Kelley, SC
Roland Fletcher, MD

Distribution:

DIR RF
PLohaus
FCombs
SDroggitis
JLynch, RIII
RWoodruff, RII
DPiskura, RIII
RFunderberg, CA
BAbu-Eid, NMSS
JGreeves, NMSS
SMoore, NMSS
STreby, OGC
HNewsome, OGC
WKane, NMSS
DCool, NMSS
GDeegan, NMSS
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South Carolina File

DCD (SP01)
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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

November 3, 1999

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF OCTOBER 6, 1999

These minutes are presented in the same general order as the items were discussed in the meeting. The attendees were as follows:

Paul Lohaus, MRB Chair, OSP
Martin Virgilio, MRB Member, NMSS
Boby Abu-Eid, Team member, NMSS
Fred Combs, OSP
Kathleen Schneider, OSP

Karen Cyr, MRB Member, OGC
Pearce O'Kelley, SC
Virgil Autry, SC
John Greeves, NMSS
Brenda Usilton, OSP

By video conference:

James Lynch, Team Leader, RIII
Deborah Piskura, Team Member, RIII

Richard Woodruff, RII
Doug Collins, RII

By telephone:

Roland Fletcher, OAS Liaison, MD
James Peterson, SC

Robert Funderberg, Team Member, CA

1. **Convention.** Paul Lohaus, Chair of the Management Review Board (MRB), convened the meeting at 1:00 p.m. Introductions of the attendees were conducted.
2. **New Business. South Carolina Review Introduction.** Mr. James Lynch, RIII, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the South Carolina review.

Mr. Lynch discussed how the review was conducted. Preliminary work included a review of South Carolina's response to the IMPEP questionnaire. The onsite review was conducted July 12-16, 1999. The onsite review included an entrance interview, detailed audits of a representative sample of completed licensing actions and inspections, and follow-up discussions with staff and management. Following the review, the team issued a draft report on August 11, 1999; received South Carolina's comment letter dated August 31, 1999; and submitted a proposed final report to the MRB on September 20, 1999.

Common Performance Indicators. Mr. Lynch discussed findings for the common performance indicator, Status of the Materials Inspection Program. His presentation corresponded to Section 3.1 of the IMPEP report. The review team found South Carolina's performance with respect to this indicator "satisfactory," and no recommendations. The MRB directed the team to revise the report to reflect the acceptability of written procedures to extend or reduce inspection performance based on performance. The MRB, the State, and the team discussed reciprocity inspections and noted the admirable performance of the State in completing these inspections. The MRB also directed the team to revise the discussion on the computer database program to note that the State had recognized the errors in the data prior to the IMPEP review. After this discussion, the MRB agreed that South Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Funderberg discussed the findings for the common performance indicator, Technical Quality of Inspections, which are summarized in Section 3.2 of the report. The team found that South Carolina's performance on this indicator was "satisfactory," and made no recommendations. Mr. Woodruff discussed the performance of the inspectors during the accompaniments. The MRB agreed that South Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Lynch presented the findings regarding the common performance indicator, Technical Staffing and Training. His presentation corresponded to Section 3.3 of the IMPEP report. The team found that South Carolina's performance with respect to this indicator was "satisfactory," and made one recommendation on providing training for staff in the areas of medical brachytherapy and irradiator technology. After discussions with Mr. O'Kelley, the MRB directed the report be revised to reflect that staff have been scheduled for the appropriate courses. The MRB agreed that South Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Piskura presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. She summarized the findings in Section 3.4 of the report. The IMPEP team found South Carolina's performance to be "satisfactory" for this indicator and made no recommendations. The team did identify one good practice involving the hand delivery of all new licenses. The MRB agreed that South Carolina's hand delivery of all new licenses to be a good practice. The MRB discussed the use of license conditions for high dose rate (HDR) brachytherapy devices. The MRB directed that the review team revise the report to note that the team had not identified any safety issues associated with the existing HDR licenses. The MRB agreed that South Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Woodruff presented the findings regarding the final common performance indicator, Response to Incidents and Allegations. As discussed in Section 3.5 of the report, the team found South Carolina's performance relative to this indicator to be "satisfactory" and made one recommendation involving revising the State's incident and allegation procedures. The MRB discussed the recommendation with the State and team and noted that the State has revised the procedures and that no performance issue existed. The MRB directed and the team agreed to delete this recommendation and to revise the report noting that the State had already revised their procedures to incorporate the appropriate elements following NRC guidance documents. Mr. Autry stated that other agencies in the State have requested their allegations procedures and that the radiation program is serving as a model for other programs. The MRB agreed that South Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Mr. Woodruff led the discussion of the non-common performance indicator, Legislation and Program Elements Required for Compatibility, which is summarized in Section 4.1 of the report. The team found South Carolina's performance relative to this indicator to be "satisfactory," and made one recommendation that the South Carolina provide draft regulations to OSP for review in accordance with OSP procedures. The MRB directed the team to revise the report to reflect that NRC had reviewed several final regulations and had found them acceptable. The MRB agreed that South Carolina's performance for this indicator met the standard for a "satisfactory" rating.

Mr. Woodruff presented the findings regarding the non-common performance indicator, Sealed Source and Device (SS&D) Evaluation Program. As discussed in Section 4.2 of

the report, the team found South Carolina's performance relative to this indicator to be "satisfactory" and made one recommendation on documentation and review of a registered device. The MRB directed the team to revise Section 4.2 of the report to note that the reviews performed were concurrence reviews. The MRB agreed that South Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Eid presented the findings regarding the non-common performance indicator, Low-Level Radioactive Waste Disposal Program. As discussed in Section 4.3 of the report, the team found South Carolina's performance relative to this indicator to be "satisfactory" and made no recommendations. Mr. Greeves noted that Barnwell is a national resource and that the South Carolina Agreement State program is to be commended on their regulatory oversight program.

MRB Consultation/Comments on Issuance of Report. Mr. Lynch concluded, based on the discussion and direction of the MRB, that South Carolina's program was rated "satisfactory" for all common and applicable non-common performance indicators. The MRB found the South Carolina program to be adequate to protect public health and safety and compatible. The IMPEP team and MRB agreed that the next IMPEP review for South Carolina be conducted in four years.

Comments from the State of South Carolina. Mr. O'Kelley commented that he appreciated the positive comments on their program on behalf of his staff. Mr. O'Kelley thanked the team for their professional manner and the minimum disruption to the State program during the review. Mr. Autry also thanked the team for the minimum interference during the review. Mr. Autry noted that IMPEP was a better way of conducting the review with the emphasis on performance.

3. **Status of Remaining Reviews.** Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports. Mrs. Schneider discussed with the MRB the request from the State of North Dakota on the scheduled follow-up review for FY 2000. Mrs. Schneider will prepare a briefing sheet on the issue for discussion at the next MRB meeting.
4. **Approval of NRC SS&D Evaluation Program MRB minutes.** The draft MRB minutes from the NRC SS&D Evaluation Program were offered for the MRB approval. The draft minutes were approved as circulated with no changes.
5. **Adjournment.** The meeting was adjourned at approximately 2:15 p.m.